

Remarks:

The above amendments and these remarks are responsive to the Office action dated April 19, 2004. Prior to entry of the present amendments, claims 1-7 were pending in this application. Claims 1-7 stand rejected under the judicially-created doctrine of obviousness-type double patenting in view of U.S. Patent No. 6,663,302. Claims 1 and 7 also stand rejected under 35 USC 102(b) based on Waibel (U.S. Patent No. 4,859,096). The Examiner has indicated, however, that claims 2-6 would be allowable if rewritten in independent form to include the features of the base claim and any intervening claims.

Pursuant to the Examiner's suggestion, a terminal disclaimer is provided with this amendment. Applicants thus have overcome the Examiner's double patenting rejection of claims 1-7.

By this amendment, applicants have cancelled claims 1 and 7 without prejudice, thus rendering the Examiner's rejection under 35 USC 102(b) moot. Claims 2 and 6 have been placed in independent form, as suggested by the Examiner, and thus are allowable. Claims 3-5 depend from claim 2, and thus are allowable for at least the same reasons as claim 2.

New claims 8-10 have been added in accordance with the Examiner's statement of reasons for the indication of allowable subject matter, and thus are also understood to be allowable.

Regarding the Examiner's statement of reasons for the indication of allowable subject matter, wherein the Examiner paraphrases applicants' claims, applicants note that while they agree with the Examiner's conclusions regarding the patentability of the allowed claims, they do not necessarily agree with or acquiesce in

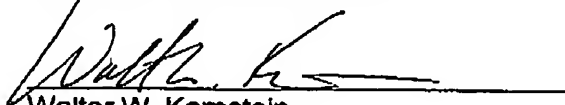
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the Examiner's reasoning. In particular, applicants believe that the application is allowable because the prior art fails to teach or suggest the invention as claimed, independent of how the invention is paraphrased.

Applicants believe that this application is now in condition for allowance, in view of the above amendments and remarks. Accordingly, applicants respectfully request that the Examiner issue a Notice of Allowability covering the pending claims. If the Examiner has any questions, or if a telephone interview would in any way advance prosecution of the application, please contact the undersigned attorney of record.

Respectfully submitted,

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CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to Examiner D. Collila, Group Art Unit 2854, Assistant Commissioner for Patents, at facsimile number (703) 872-9306 on July 8, 2004.



Christie A. Doolittle

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